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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,626	03/24/2004	Akihiro Nakamura	CFG03436US	6083
7590	03/08/2006		EXAMINER YAN, REN LUO	
			ART UNIT 2854	PAPER NUMBER

Canon U.S.A. Inc.
Intellectual Property Department
15975 Alton Parkway
Irvine, CA 92618-3731

DATE MAILED: 03/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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Office Action Summary	Application No.		Applicant(s)	
	10/808,626		NAKAMURA, AKIHIRO	
	Examiner		Art Unit	
	Ren L. Yan		2854	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
 - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
 - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 December 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 and 22-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 22-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>01-18-05</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claims 1, 22, 23 and 25 are objected to for the following reasons:

In claim 1, line 11, the recitation of “the sheet feeding unit” lacks proper antecedent basis.

In claim 22, line 2, the word “device” should be changed to --devices--; on each of line 4 and line 9, the recitation of “said sheet supplying device” is unclear which of the multiple sheet supplying devices it refers to; and line 8, the recitation of “the sheet feeding unit” does not find proper antecedent basis.

In claim 23, the recitation of “the sheet supplying device” is unclear which of the multiple sheet supplying devices it refers to.

In claim 25, line 4, the word “a” should be changed to --an--; lines 10 and 11, the recitation of “said sheet supplying device” is unclear which of the multiple sheet supplying devices it refers to; and line 11, “the receiving unit” lacks proper antecedent basis.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 and 7-10 are rejected under 35 U.S.C. 102(b) as being anticipated by JP 2001-5253. The patent to Nakajima et al teaches the method and image formation apparatus as claimed including a plurality of image carrying members 1 each carrying a color toner image, a detachably mounted sheet supplying device 14 positioned relative to the image formation

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apparatus, a sheet transporting unit 10-13 transporting said sheets fed from said sheet supplying device; image formation units 2-4 forming images on an intermediate transfer member 6, a transfer unit transferring the images on the intermediate transfer member onto the sheets transported by said sheet transporting unit; and control unit setting a sheet transporting interval in the sheet transporting unit based on an amount of sheets remaining in the sheet supplying device detected by sensors, wherein the control unit sets an image forming interval on the transfer member according to the sheet interval information. See the English abstract and Figs. 1-8 in JP '253 for details. With respect to claims 3 and 9, JP '253 teaches wherein in a case where the number of sheets remaining in the sheet supplying device is greater than a predetermined number of sheets, the control unit receives information on a first sheet feeding interval, and the sheet transporting unit transports the sheets at said first sheet feeding interval; and wherein in a case where the number of sheets remaining in said sheet supplying device is less than or equal to said predetermined number of sheets, the control unit receives information on a second sheet feeding interval longer than said first sheet feeding interval, and the transporting unit transports said sheets at said second sheet feeding interval.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5, 6, 11, 12 and 22-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over JP '253 in view of Nakajima et al(5,966,555). JP '253 teaches all that is claimed except for

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the use of a determining unit for determining a position of the sheet supplying device detachably mounted to the image formation apparatus. The patent to Nakajima et al teaches the method and image formation apparatus of a similar type including sheet supplying devices 81a and 81b positioned relative to the image formation apparatus, a determining unit determining the position of the sheet supplying devices relative to said image formation apparatus; and a transmission unit transmitting information on the sheet feeding interval to the sheet supplying device in the event that said determining unit has determined that the position of said sheet feeding device is a predetermined connection position, wherein the determining unit determines a detachable mounting position of the sheet supplying device to said image formation apparatus, and wherein the transmission unit transmits the information on the sheet feeding interval to said sheet supplying device in the event that said determining unit determined that the position of said sheet feeding device is the predetermined connection position. The examiner notes that sheet supply cassettes 81a and 81b are detachably mounted to the image formation apparatus to facilitate replenishment of the sheet supply by the operator. The position of these sheet supply cassettes is inherently monitored and the amount of sheets available in each cassette is checked such that the control of the image formation apparatus could carry out the sheet feeding and image forming operations with the desired sheet feeding intervals. See Figs. 1-42, column 3, lines 14-50 and column 23, line 55 through column 25, line 59 in Nakajima et al for example. In view of the teaching of Nakajima et al, it would have been obvious to one of ordinary skill in the art to provide the image forming apparatus of JP '253 with multiple sheet supplying devices and the determining unit for determining the position of the sheet supplying devices in order to increase the sheet feeding capacity of the image forming apparatus and to properly inform the control unit

the connection position of each of the sheet supplying devices so as to carry out the desired printing operation.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

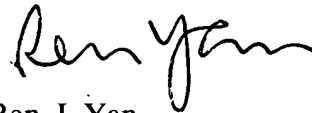
A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Ren L. Yan whose telephone number is 571-272-2173. The examiner can normally be reached on 8:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Hirshfeld can be reached on 571-272-2168. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "Ren Yan", with a stylized flourish at the end.

Ren L Yan
Primary Examiner
Art Unit 2854

Ren Yan
Feb. 28, 2006